

FILED

NOV - 8 2018

U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIC M. ZURHEIDE,

Defendant.

No.

**S1-4:18CR00663 JAR/DDN**

**SUPERSEDING INDICTMENT**

**COUNT I**

The Grand Jury charges that:

Between on or about May 19, 2018, and on or about July 17, 2018, in the Eastern District of Missouri, and elsewhere, the defendant,

**ERIC M. ZURHEIDE,**

did knowingly use any facility and means of interstate commerce, and knowingly attempted to persuade, induce, entice, and coerce Detective Adam Kavanaugh of the St. Louis County Police Department's Special Investigations Unit, who the defendant believed to be a minor, to engage in sexual activity for which any person can be charged with a criminal offense, to wit: the defendant, who was at least twenty-one years of age, believing Detective Kavanaugh, was a minor female under the age of seventeen years-old, attempted to persuade, induce, entice, and coerce Detective Kavanaugh to have sexual intercourse with him, in violation of Missouri Revised Statute, Section 566.034, and committed a substantial step thereof.

In violation of Title 18, United States Code, Section 2422(b).

COUNT 2

The Grand Jury further charges that:

At all times pertinent to the charges in this superseding indictment:

1. Federal law defined the term

- (a) “minor” to mean any person under the age of eighteen years (18 U.S.C. § 2256(1));
- (b) “sexually explicit conduct” to mean actual or simulated--
  - (i) sexual intercourse, including genital-genital, anal-genital, oral-genital, oral-anal, whether between persons of the same or opposite sex,
  - (ii) bestiality,
  - (iii) masturbation,
  - (iv) sadistic or masochistic abuse, or
  - (v) lascivious exhibition of the genitals or pubic area of any person (18 U.S.C. §2256(2)(A));
- (c) “computer” to mean an electronic, magnetic, optical, electrochemical or other high speed data processing device performing logical, arithmetic or storage functions, including any data storage facility or communications facility directly related to or operating in conjunction with such device. (18 U.S.C. §2256(6));

(d) “child pornography” to mean any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where--

(A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; or

(C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct. (18 U.S.C. §2256(8)).

2. The “Internet” was, and is, a computer communications network using interstate and foreign lines to transmit data streams, including data streams used to store, transfer and receive graphic files.

3. Between on or about January 1, 2018, and on or about July 17, 2018, within the Eastern District of Missouri and elsewhere,

**ERIC M. ZURHEIDE,**

the defendant herein, knowingly received images of child pornography using any means or facility of interstate and foreign commerce, that is, the defendant received graphic image and video image files via the Internet which contained child pornography, including, but not limited to, the following:

(a) “IMG\_0896.MOV”, a graphic video file depicting a prepubescent female engaged in sexual intercourse with an adult male;

(b) “IMG\_0897.MOV”, a graphic video file depicting a prepubescent female engaged in sexual intercourse with an adult male.

In violation of Title 18, United States Code, Section 2252A(a)(2).

A TRUE BILL.

---

FOREPERSON

JEFFREY B. JENSEN  
United States Attorney

---

DIANNA R. COLLINS #59641MO  
Assistant United States Attorney